THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.3046 OF 2007

DATED 22nd MARCH, 2007

BETWEEN

M.Bala Manmada Rao

… Petitioner

AND

The District Level Sand Committee, rep. by its Chairman, Krishna District, at Machilipatnam and others.

… Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.3046 OF 2007

ORDER:

The petitioner was successful bidder in the auction conducted to lease out Jupudi sand reach of Ibrahimpatnam Mandal, Krishna District. He allegedly paid entire amount. However, he did not pay the security deposit and income tax. The second respondent issued impugned notice, dated 05.02.2007 directing the petitioner to comply with the conditions in seven days otherwise the petitioner has a pain of facing forfeiture of the amount already deposited. The writ petition is filed seeking invalidation of the said action for forfeiture.

At the stage of admission itself, learned Assistant Government Pleader for Panchayat Raj submits that as the petitioner did not pay the security deposit and income tax, second respondent issued proceedings bearing Roc.No.2437/06, No.5, dated 23.02.2007 forfeiting a sum of Rs.1,05,50,100/- along with security deposit in a sum of Rs.2,11,000/-. Learned Assistant Government Pleader has placed before this Court the said proceedings and it is made part of record. Therefore, the petitioner may avail the remedy by filing application before the Government under para 16 of G.O.Ms.No.24, dated 12.02.2007.

The writ petition is accordingly disposed of giving liberty to the petitioner to approach the Government. No costs.

(V.V.S.RAO,J)

22.03.2007.

pln